

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|                           |                               |
|---------------------------|-------------------------------|
| AMAYA HUGO,               | :                             |
| Plaintiff                 | :                             |
| v.                        | : Case No. 3:09-cv-14-KRG-KAP |
| THE WARDEN OF FSL ELKTON, | :                             |
| <u>et al.</u> ,           | :                             |
| Defendants                | :                             |

MEMORANDUM ORDER

Plaintiff's post-appeal motion to proceed in forma pauperis was referred to Magistrate Judge Keith A. Pesto in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3), and Local Rule 72.1 for Magistrate Judges.

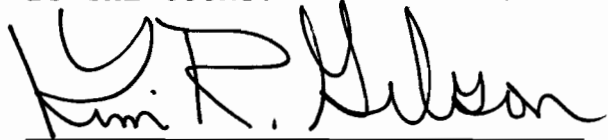
The Magistrate Judge filed a Report and Recommendation on August 31, 2009, docket no. 11, recommending that the plaintiff's motion be denied. The plaintiff was notified that pursuant to 28 U.S.C. § 636(b)(1), he had ten days to serve and file written objections to the Report and Recommendation. The plaintiff filed objections which do not address the Report and Recommendation.

Upon de novo review of the record of this matter, the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 17<sup>th</sup> day of September 2009, it is

ORDERED that the plaintiff's motion to proceed in forma pauperis is denied.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Amaya Hugo, Reg. No. 69823-004  
Moshannon Valley Correctional Center  
P.O. Box 2000  
Philipsburg, PA 16866-0798